

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

LENORA JEFFES and DAVID JEFFES,

Plaintiffs,

v.

Case No: 5:13-cv-262-Oc-22PRL

**JOHNSON & JOHNSON, INC. and
DEPUY ORTHOPAEDICS, INC.**

Defendants.

ORDER

This is a products liability action regarding the DePuy Pinnacle Acetabular Cup System (a device used in hip replacement surgery). On May 23, 2011, the Multidistrict Litigation (“MDL”) Panel established MDL Proceeding No. 2244, *In re DePuy Orthopaedics, Inc., Pinnacle Hip Implant Products Liability Litigation*, and transferred similar cases to the Northern District of Texas, before the Honorable James E. Kinkeade. See *In re DePuy Orthopaedics, Inc., Pinnacle Hip Implant Products Liability Litigation*, 787 F. Supp. 2d 1358, 1360-61 (J.P.M.L. 2011). Defendants represent that they anticipate that this case will be transferred to that proceeding; and, as such, request a stay here and an extension of the deadline to respond to Plaintiffs’ Complaint. (Doc. 4). Plaintiffs do not oppose Defendants’ Motion. (Doc. 4).

This case is in the very early stages of litigation. Plaintiffs filed their Complaint in state court on April 4, 2013 (Doc. 2), and Defendants filed their notice of removal on June 6, 2013 (Doc. 1). A conditional transfer order has already been entered, and it appears that this case will be transferred to the MDL Proceedings. *In re DePuy Orthopaedics, Inc., Pinnacle Hip Implant*

Products Liability Litigation (MDL 2244) (Doc. 1074). Thus, the Court is inclined to grant the motion to stay. Accordingly, it is **ORDERED**:

- 1) Defendants' Unopposed Motion to Stay and for Extension of Time to Respond to the Complaint (Doc. 4) is **GRANTED**. This action is **stayed** pending transfer to *In re DePuy Orthopaedics, Inc., Pinnacle Hip Implant Products Liability Litigation* (MDL 2244).
- 2) In the event this action has not been transferred within **60 days** of the date of this Order, then Defendants shall file a status report with the Court.

DONE and **ORDERED** in Ocala, Florida on June 14, 2013.



PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Counsel of Record